

[PUBLIC VERSION – Substitutions for confidential treatment highlighted as red underline]

August 12, 2002

Ms. April Mulqueen, Esquire
Assistant Director
Telecommunications Division
Massachusetts Department of Telecommunications and Energy
One South Station, 2nd Floor
Boston, MA 02110

**Re: D.T.E. 01-33 - Request for Waiver of NANPA's Denial of CTC
Communications Corp.'s Request for Two 1,000 Number Blocks to Meet a
Specific Customer Need**

Dear April:

The purpose of this letter is to seek a waiver of NANPA's (*i.e.*, NeuStar) decision to deny CTC Communications Corp.'s ("CTC") requests for two 1,000 number blocks for a CTC customer. CTC takes such action pursuant to Federal Communications Commission ("FCC") rules [47 C.F.R. 52.15(g)(3)(iv)].

I. NATURE OF NUMBERING REQUEST

CTC's customer, a large manufacturing company, requested two blocks of 1,000 numbers within the 978 NPA for telecommunications services that CTC provides from its POI location point of interface to the Rate Center location rate center. CTC's customer requested 2 specific 1,000 numbers block to meet the demand for telecommunications services of its relocated facility in Rate Center location.

CTC's customer is relocating its facility from a facility elsewhere and requires new telephone number resources. Two specific 1,000 number blocks are necessary because of the internal and external dialing plans and restrictions of CTC's customer's existing telecommunications network. Based on its telecommunications network configuration, CTC's customer requires the numbers in an "X000" and a "Y000" number block. A copy of the customer letter to CTC indicating the need for new numbering blocks and the specific

did not have the needed numbers available in its existing inventory. A copy of the "Part 1" forms are attached as Exhibit B. On August 5, 2002, CTC submitted the MTE Certification Worksheet required by NANPA, completed in accordance with the Industry Numbering Committee's Central Office Code (NXX) Assignment Guidelines ("INC Guidelines"). Attached as Exhibit C is the MTE for CTC's Rate Center location rate center which will serve CTC's customer's new headquarters.

On August 5, 2002, NANPA's Central Office Code Administrator denied CTC's requests on the grounds that CTC had not met the rate-center-based MTE criteria, as set forth by the FCC. The denials were based upon not meeting the months-to-exhaust ("MTE") requirements – notwithstanding the fact that CTC does not have the numbering resources needed to satisfy this specific customer's request. Copies of the e-mail decisions denying CTC the codes for CTC's customer are attached as Exhibit D.

CTC requested the new code from NeuStar because it did not, and does not, have inventory within its supply of numbers in the Rate Center location rate center to meet CTC's customer's requirements. Attached as Exhibit E is a report from CTC's Telephone Number Inventory supporting CTC's claim that _____'s request could not be satisfied with the existing numbering resources in that rate center since CTC only has limited numbers available in the Rate Center location rate center.

CTC considers Exhibits C and E to be highly competitively sensitive and requests that the Department afford this information proprietary treatment because it contains specific data relating to number utilization and forecasted growth in the Rate Center location rate center. In addition, CTC considers the customer specific information included in this Request for Waiver and Exhibit A to be highly competitively sensitive and requests that the Department afford this information proprietary treatment because it contains "customer proprietary network information" including the customer name and service requirements. Enclosed for filing is a Motion for Protective Treatment of Confidential Information in regard to these documents. A public version of this Request for Waiver and of the Motion for Protective Treatment of Confidential Materials has been forwarded to the D.T.E. Docket 01-33 Service List.

II. REQUEST FOR WAIVER OF NANPA'S NXX CODE DENIAL

By way of this letter, CTC requests that the Department overturn NeuStar's decision and order that new central office codes that meet the requirements of CTC's customer be assigned to CTC's Lawrence point of interface for the Rate Center location rate center to permit CTC to

In the *Third NRO Order, Appendix A, Final Rules, 52.15(g)(4)*, the FCC states:

The NANPA must notify the carrier in writing of its decision to withhold numbering resources within ten (10) days of receiving a request for numbering resources. The carrier may challenge the NANPA's decision to the appropriate state regulatory commission. The state commission may affirm, or may overturn, the NANPA's decision to withhold numbering resources from the carrier based on its determination that the carrier has complied with the reporting and numbering resource application requirements herein. The state commission also may overturn the NANPA's decision to withhold numbering resources from the carrier based on its determination that the carrier has demonstrated a verifiable need for numbering resources and has exhausted all other available remedies.

Further, the FCC states:

We therefore clarify that states may also grant relief if a carrier demonstrates that it has received a customer request for numbering resources in a given rate center that it cannot meet with its current inventory. Carriers may demonstrate such a need by providing the state with documentation of the customer request and current proof of utilization in the rate center.

Third NRO Order at 64. In accordance with applicable FCC rules, CTC respectfully asks that the Department grant this waiver request so that CTC can continue to serve CTC's customer.

Finally, CTC respectfully asks that the Department grant this waiver request on an expedited basis. This is necessary because CTC's customer needs to have this code activated as soon as possible in order to avoid facility relocation delays.

Thank you for your assistance in this matter. Please contact me at 781-487-5558 or Betty Kilcoyne at 781-251-6524 if you have any questions concerning this request.

Very truly yours,

Letter to A. Mulqueen
August 12, 2002
Page 4

Enclosures

cc: Mary L. Cottrell, Secretary
Michael Isenberg, Esq., Telecommunications Director
Service List DTE 01-33 [Public Version and Motion for Protective Treatment only]